

TENNESSEE REGULATORY AUTHORITY

Melvin Malone, Chairman
Lynn Greer, Director
Sara Kyle, Director



460 James Robertson Parkway
Nashville, Tennessee 37243-0505

October 5, 1999

Mr. James B. Wright, Senior Attorney
United Telephone-Southeast
14111 Capital Boulevard
Wake Forest, North Carolina 27587-5900

Mr. Joe Buck, President
PV TEL, LLC
PO Box 3276
Kingsport, Tennessee 37664

99-00646

In Re: Approval of Interconnection and Resale Agreement between United
Telephone-Southeast, Inc. and PV Tel.

Dear Sirs:

On September 2, 1999, United Telephone-Southeast and PV Tel of Tennessee, LLC submitted the above Agreement to the TRA for approval pursuant to Section 251 and 252 of the Act.


Section 252(e) of the Act sets forth guidelines states must follow in approving or rejecting agreements. The Staff has examined the Agreement in the context of how it comports with the existing regulatory/telecommunications environment. The Staff has identified some suggested changes that they feel could provide more safeguards for PV Tel customers and make the Agreement more non-discriminatory to other carriers. The suggested changes are listed below:

- (1) Section 1.2 of the Agreement addresses discontinuing an interconnection arrangement, Telecommunications Service or Network Element by United Telephone-Southeast. The Staff maintains that additional wording is in order that will guarantee that PV Tel customers will continue to receive any discontinued service or arrangement for resale to its customers for as long as United Telephone-Southeast continues to provide those same services or arrangements to its own customers.
- (2) Section 252(i) of the Act provides "A local exchange carrier shall make available any interconnection, service, or network element provided under

an agreement approved under this section to which it is a party to any other requesting telecommunications carrier upon the same terms and conditions as these provided in the agreement.” Many other interconnection agreements specifically state the obligations of the local exchange carrier in this regard. The wording contained in those agreements very clearly states the intent to comply with 252(i) and the Supreme Court ruling concerning that section. The Staff requests that the parties add similar wording to this Agreement.

Please provide a response to the above request by October 19, 1999. If you have any questions concerning this matter please call Carsie Mundy or Darlene Standley in the Telecommunications Division.

Yours truly,

A handwritten signature in black ink, appearing to read "D. Waddell", with a stylized initial "D" and a long, sweeping underline.

David Waddell
Executive Secretary